



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/891,301	07/10/97	HARRENSTIEN	K 224/183

022249
LYON & LYON LLP
633 WEST FIFTH STREET
SUITE 4700
LOS ANGELES CA 90071

WM02/1023

EXAMINER

TRAN, P

ART UNIT

PAPER NUMBER

2684

DATE MAILED:

10/23/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

See Attachments

Office Action Summary

Application No.

08/891,301

Applicant(s)

HARRENSTIEN ET AL.

Examiner

Pablo N Tran

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 15 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 9 and 13-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-12, 16-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 08/15/01 have been fully considered but they are not persuasive.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-8, 10-12, and 16-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Verkler et al.* (5,850,517) in view of *Eggleston et al.* (5,958,006).

As per claims 1-6, 10-12, 16-20, and 22-25, *Verkler et al.* disclosed a method for transmitting information from a server to a client station in a mobile-based client-server system wherein determining whether the server has information to be transmitted to the client station without the client station initiating a connection to the server and transmitting a message from the server's transceiver directly to a client's transceiver indicating the server has information for the client station (col. 4/ln. 12-26) and the client station can establish a log-on connection with the server based on the telephonic address (col. 3/ln. 3-13);

Verkler et al. disclosed a wireless link (fig. 1/no. 105) but does not specifically disclosed transceivers associated with the server and client station. However, it is inherent that both the server and client station comprises transceivers in order to provide a wireless communication path between the client and server. Furthermore, *Verkler et al.* disclosed the agent (fig. 1/no. 102) resides on a LAN at a fixed location (col. 3/ln. 55-57). It is obvious that the agent be incorporated as a mechanism, an integral part, of the server to handle or simplified communication with the client in order to save space and money.

Verkler et al. disclose such information data type (col. 4/ln. 27-34) but does specifically disclosed evaluating the information at the server to provide the client a summary of type and quantity of information is awaited for the client at the server. *Eggleston et al.* disclose such summary of type and quantity of information (abstract, fig. 3-4, col. 2/ln. 66-col. 4/ln. 3). Therefore, it would have obvious to one of ordinary skill in the art to modify and apply a method for communicating summarized data as taught by *Eggleston et al.* to a communication link for client-server as discussed by *Verkler et al.* in order to save time and tariff charge of downloading selected type and quantity of information as selected by the client.

As per claims 7-8 and 21, *Verkler et al.* in view of *Eggleston et al.* further disclosed transmitting the message between GSM based transceivers (see *Eggleston et al.*, col. 4/ln. 35).

Verkler et al. in view of *Eggleston et al.* does not disclosed transmitting the message in an SMS paging message format. However, such is notoriously well known

in the art the Examiner takes official notice of such. Therefore, it would have been obvious to one of ordinary skill in the art at the time to utilize the method of SMS paging message, well known in the art, in conjunction with a communication link for client-server system as discussed by *Verkler et al.* in view of *Eggleston et al.* in order to save time and tariff charge.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (703)308-7941. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Hunter, can be reached at (703)308-6732.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Application/Control Number: 08/891,301
Art Unit: 2684

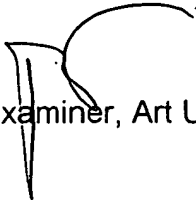

Page 5

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

October 10, 2001

Pablo Tran

Examiner, Art Unit 2684

A handwritten signature in black ink, appearing to be 'Pablo Tran', written over the printed name and title.A handwritten signature in black ink, appearing to be 'Daniel Hunter', written over the printed name and title.

DANIEL HUNTER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600